



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

hereby certify that this paper or fee is being deposited with the U.S. Postal Service as Express Mail Service, Express Mail No. EE863295436US, under 37 C.F.R. §1.10, on March 30, 1999, in an envelope addressed to: Box Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231.

Peter J. Manso, Reg. No. 32, 264

<u>Morch 30 (</u>89 Date

In re Application of:

Eugenio A. Cefali

Serial No.:

08/960,557

Filing Date:

October 31, 1997

Group Art Unit:

1615

Examiner:

J. Spear

Title:

METHODS FOR TREATING HYPERLIPIDEMIA WITH INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS HAVING UNIQUE BIOPHARMACEUTICAL

CHARACTERISTICS

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Box Amendment Assistant Commissioner of Patents Washington, D.C. 20231 APR 2 9 1999

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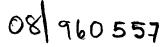
Dear Sir:

PETITION TO REVIVE ABANDONED APPLICATION UNDER 37 CFR §1.137(b)

The above-identified application was unintentionally allowed to go abandoned on March 23, 1999 for failure to timely file a response to the Office Action. Applicant hereby respectfully petitons to revive the above-identified application under 37 CFR §1.137(b). Submitted herewith is a proposed response by Applicant.

Statement Concerning Unintentional Abandoment

Applicant respectfully submits that the above-identified application was unintentionally abandoned. The final due date of the Office Action was inadvertently and unintentionally mis-read as September 25, 1998, not September 23, 1998.



GP/1615

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Transmitted herewith for filing, please find the following:

- (1) Amendment dated March 30, 1999;
- (2) Copy of Dr. Straughn's Declaration including all Exhibits 1-13; and
- (3) Return Postcard.

APR 0 5 1999 GROUP 1806

To the extent any fees are due, including any fees for filing this petition to revive, extensions of time, and any new claims fees, for which payment has not been made, the Assistant Commissioner is hereby authorized to charge such fees to our deposit account number, Account No. 10-0447/32892-00023. A duplication of this paper is submitted herewith. A small entity status had been previously filed in this case.

If you should have any questions or require additional information or clarification, Applicant respectfully requests that you contact the attorney of record herein, Peter J. Manso, at the phone numbers noted below at your earliest convenience.

Respectfully Submitted,

Peter J. Manso

Reg. No. 32,264

Jenkens & Gilchrist, P.C. 1445 Ross Ave. Suite 3200 Dallas, Texas 75202 (214) 855-4500 (General) (214) 855-4858 (secretary) (214) 855-4300 (Fax No.)

(954) 752-7169 (Direct Dial)